

## Article - Estates and Trusts

[\[Next\]](#)

§1–101.

(a) In the estates of decedents law the following words have the meanings indicated.

(b) “Administrative probate” is defined in § 5–301 of this article.

(c) “Book” includes a form of electronic recordation.

(d) “Child” is defined in §§ 1–205 through 1–208 of this title.

(e) “County” includes Baltimore City.

(f) “Court” is defined in § 2–101 of this article.

(g) (1) “Environmental law” means a federal, State, or local law, rule, regulation, or ordinance that relates to the protection of the environment.

(2) “Environmental law” includes Title 16 of the Environment Article.

(h) “Heir” is a person entitled to property of an intestate decedent pursuant to §§ 3–101 through 3–110 of this article.

(i) “Interested person” is:

(1) A person named as executor in a will;

(2) A person serving as personal representative after judicial or administrative probate;

(3) A legatee in being, not fully paid, whether his interest is vested or contingent;

(4) An heir even if the decedent dies testate, except that an heir of a testate decedent ceases to be an “interested person” when the register has given notice pursuant to § 2–210 or § 5–403(a) of this article.

Interested person includes a person as above defined who is (a) a minor or other person under a disability, or (b) the judicially appointed guardian, committee,

conservator or trustee for such person, if any, and if none, then the parent or other person having assumed responsibility for such person.

An heir or legatee whose interest is contingent solely on whether some other heir or legatee survives the decedent by a stated period is an interested person but only after the other heir or legatee has died within that period.

(j) “Issue” is defined in § 1–209 of this title.

(k) “Judicial probate” is defined in § 5–401 of this article.

(l) “Legacy” means any property disposed of by will, including property disposed of in a residuary clause and assets passing by the exercise by the decedent of a testamentary power of appointment.

(m) “Legatee” means a person who under the terms of a will would receive a legacy. It includes a trustee but not a beneficiary of an interest under the trust.

(n) “Letters” include letters testamentary and letters of administration.

(o) “Maryland Rules” means the rules promulgated by the Court of Appeals of Maryland under the authority of the Constitution and laws of Maryland.

(p) “Net estate” means the property of the decedent exclusive of the family allowance and enforceable claims against the estate, except as used in §§ 3–102 and 3–203 of this article.

(q) “Personal representative” includes an executor or administrator but not a special administrator.

(r) “Property” includes both real and personal property, and any right or interest therein. “Property” refers to (1) all real and personal property of a decedent and (2) any right or interest therein which does not pass, at the time of the decedent’s death, to another person by the terms of the instrument under which it is held, or by operation of law.

(s) “Register” is defined in § 2–201 of this article.

(t) “Representation” is defined in § 1–210 of this title.

(u) “Special administrator” means an administrator appointed as provided in § 6–401 of this article.

(v) “Trust company” means an institution that is authorized to exercise trust or fiduciary powers and that:

(1) Is organized under the laws of this State as a State bank, trust company, or savings bank; or

(2) Is organized under the laws of the United States and:

(i) Has its principal office in this State; or

(ii) 1. Has an office in this State that is not its principal office; and

2. Meets the definition of a trust institution under 12 U.S.C. § 1841(c)(2)(D); or

(iii) 1. Has an office in this State that is not its principal office; and

2. Accepts deposits at its office in this State; or

(3) Is organized under the laws of another state as a bank, trust company, or savings bank and:

(i) 1. Has an office in this State that is not its principal office;

2. Meets the definition of a trust institution under 12 U.S.C. § 1841(c)(2)(D); and

3. Is a direct or indirect subsidiary of a bank holding company that has a direct or indirect bank, trust company, or savings bank subsidiary that has an office in this State at which deposits are accepted; or

(ii) 1. Has an office in this State that is not its principal office; and

2. Accepts deposits at its office in this State.

(w) (1) “Will” means a written instrument which is executed in the form prescribed by §§ 4–102 through 4–104 of this article, and has not been revoked in a manner provided by § 4–105 of this article.

(2) “Will” includes a codicil.

[Next]